



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.850 OF 2024

Aniket s/o Kailas Kholapure

Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Achalpur, District Amravati

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. D. Sahoo, Counsel for the applicant.

Ms. M. A. Barabde, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 25/03/2025

1. The applicant who is the accused No.1 in Crime No.277/2024 registered with Achalpur Police Station for the offences punishable under Sections 313, 110, 118(1), 189(2), 190, 191(2), 191(3), 79, 352, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned Counsel for the applicant who submitted that as per the First Information Report, the allegation levelled against the present applicant is that he has assaulted the injured by means of iron pipe. Now the iron pipe is already seized. The applicant is attending the Police Station as per the direction of the Court. As far as the custodial interrogation is concerned, which is not required and the applicant is ready to attend the Police Station for interrogation purpose. In view of

that, the interim protection granted to him deserves to be confirmed.

3. Learned APP strongly opposed the said application, however fairly admitted that the applicant has cooperated with the investigating agency and the iron pipe is also seized.

4. Considering the fact that now the incriminating article is already seized. The applicant is also attending the concerned Police Station and cooperating with the investigating agency, his incarceration is not required. In view of that, the interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The interim protection granted to the present applicant by order dated 03.02.2025 is hereby confirmed on the condition that he shall attend the concerned Police Station on every day between 10.00 a.m. to 1.00 p.m. and the applicant shall cooperate with investigating agency.

(iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

The application disposed of.

(URMILA JOSHI-PHALKE, J.)